



UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: A. Deb

Art Unit: 2858

In re:

Applicant: JENAU

Serial No.: 09/380,410

Filed: October 28, 1999

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
AND TO ACCEPT PAYMENT OF ISSUE FEE**

June 4, 2003

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

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Applicant herewith petitions for an Order withdrawing the holding of abandonment of the subject application and accepting payment of the issue fee in connection therewith.

The subject application became abandoned because applicant did not timely receive the Notice of Allowance in the subject application.

The Notice of Allowance bears a mailing date of June 20, 2002, and therefore would have been due before September 20, 2002.

MAIL STOP DAC

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OFFICE OF PETITIONS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. 6/5/03
On _____

However, counsel for the applicant never received the original Notice of Allowance.

The undersigned has carefully reviewed the entire file and the file jacket of the application Serial No. 09/380,410, but there is no indication therein that the Notice of Allowance dated June 20, 2002 was timely received.

Attached hereto are copies from the computer and hand entry docket records for the subject application maintained by counsel for the applicant.

If the Notice of Allowance had been timely received, it would have been docketed for payment on the day before the due date, namely September 19, 2002. It is noted that there is no entry thereon.

Inexplicably, on April 15, 2003, counsel for the applicant received via fax a copy of the Notice of Allowance sent from fax number (703) 308-5841, PTO Group 2800, Floor 9.


It was upon receipt of this copy of the Notice of Allowance that counsel for the applicant first became aware that the subject application had been allowed.

Applicant thereafter prepared the required formal drawings which were filed on May 22, 2003.

Counsel for applicant now submits herewith the issue fee transmittal form and requests that any holding of abandonment of the subject application be withdrawn and that the issue fee be accepted for the subject application.

It is requested that the issue fee be debited to the account of the undersigned, 19-4675.

Respectfully submitted,



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